

REMARKS

Applicant has amended claim 1, deleted claim 2, and added new claim 40. Support for the amendments to claim 1 is found in original claims 1 and 2 and on page 35, lines 21-25; in the specification at page 5, lines 26-28; page 7, lines 13-19; and in Example 14. Support for claim 40 is found in the Abstract, lines 9-11; page 5, lines 26-28; page 7, lines 16-23; Figure 7; Examples 14 and 15 and throughout the specification. The specification has been amended to correct a typographical error. No new matter has been added.

The Examiner's Objections to and Rejections of pending claims 1 and 2 are addressed separately below.

CLAIM OBJECTIONS

Pending claim 1 was objected to because of the use of the term "the incident light". Claim 1 is amended to address this objection and is now in proper form.

35 U.S.C. §103 (Friend et al.)

The Examiner rejected claims 1 and 2 under 35 USC 103(a) over Friend et al. (U.S. Patent 5,523,555). This rejection is respectfully traversed. Friend teaches a device wherein a single type of semiconducting polymer displays spectral responses that are dependent upon differences in bias voltage. Friend does not describe how to vary the spectral response of a sensor at constant bias voltage which allows a sensor to probe two or more distinct spectral bands simultaneously. The Examiner is invited to review Example 14 wherein the Example demonstrates an image element exhibiting two spectral bands. The two signals are probed simultaneously by selecting proper sensing materials for each layer.

Similarly, Friend does not describe how to vary the spectral response of a sensor by using material selection, device thickness adjustment, optical filters, stacking sensors, mirrors, an optical dispersion device or combinations thereof as presently claimed in new claim 40.

In addition, the Examiner states that "Friend et al. do not specifically disclose that the photosensor is arrayed to form an image sensor. However, Friend et al. further teach (see column 1, lines 40-61) forming arrays of photosensors to make an image sensor." The cited lines describes an image sensor comprising a photosensor array, but Friend does not describe an image sensor comprising an array of photosensor elements which are capable of sensing more than one spectral band simultaneously. Indeed, the opposite of Applicant's invention is suggested by Friend. In particular, Figure 11 in Friend shows that the bias voltage must be adjusted to achieve various spectral responses. Therefore, Friend teaches away from the simultaneous sensing.

In light of the above amendments and foregoing arguments, applicant respectfully requests reconsideration and withdrawal of the objections and rejection. It is respectfully submitted that the claims are in condition for allowance, which allowance is respectfully requested.

Respectfully submitted,



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